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**Monday,
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Part XXXVIII

Office of Personnel Management

Semiannual Regulatory Agenda

OFFICE OF PERSONNEL MANAGEMENT (OPM)

OFFICE OF PERSONNEL
MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel Management.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following Office of Personnel Management (OPM) regulations are scheduled for development or review during the six-month period following publication. This agenda carries out OPM's responsibilities to publish a semiannual agenda under Executive Order 12866,

"Regulatory Planning and Review," and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: Jacqueline D. Carter, (202) 606-1973.

SUPPLEMENTARY INFORMATION: OPM has begun a comprehensive, systematic review of its Governmentwide personnel regulations. OPM has undertaken this initiative to make the regulations more readable wherever possible, to eliminate duplication, and

to weed out obsolete references. OPM will incorporate any necessary substantive changes as part of this project. OPM has begun publishing these regulations as proposed regulations and will continue to do so as the project progresses.

This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. OPM's Statement of Regulatory Priorities is included in part II.

U.S. Office of Personnel Management.

Kay Coles James,
Director.

Office of Personnel Management—Proposed Rule Stage

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3545	Excepted Service—Student Program	3206-AK59
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3550	Other Than Full-Time Employment (Part-Time, Seasonal, and Intermittent)	3206-AI22
3551	Representative Rate; Order of Release From Competitive Level; Assignment Rights	3206-AI96
3552	Reemployment Rights	3206-AI19
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3555	Superior Qualifications Appointments	3206-AI00
3556	General Schedule Locality Pay Areas	3206-AJ45
3557	Within-Grade Increases	3206-AK50
3558	Prevailing Rate Systems; Environmental Differential Pay for Asbestos Exposure	3206-AK64
3559	Reemployment of Civilian Retirees To Meet Exceptional Employment Needs	3206-AI32
3560	Nonforeign Area Cost-of-Living Allowances; Rate Changes	3206-AK67
3561	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002	3206-AK38
3562	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002	3206-AK55
3563	Retirement—State Income Tax Withholding Instrumentalities	3206-AH62
3564	Enterprise Human Resource Integration (EHRI)	3206-AK40
3565	Freedom of Information Act (FOIA) Regulations	3206-AK53
3566	Privacy Act Regulations	3206-AK54
3567	Suitability	3206-AK69
3568	National Security Investigations	3206-AC21
3569	Investigations	3206-AB92
3570	Retirement—Court Orders Awarding Survivor Annuities; Correcting or Supplementing the First Order Dividing Marital Property	3206-AG28
3571	Retirement—FERS Elections of Coverage	3206-AG96
3572	Federal Employees' Health Benefits (FEHB) Program: Continuing FEHB Coverage Into Retirement	3206-AI62
3573	Procedures for States and Localities To Request Indemnification	3206-AK68
3574	Restoration to Duty from Uniformed Service or Compensable Injury; Pay Rates and Systems (General); Pay Under the General Schedule; Pay Administration (General); Pay Administration Under the Fair Labor	3206-AK61

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Office of Personnel Management—Final Rule Stage

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3576	Excepted Service—Career and Career-Conditional Employment	3206-AJ28
3577	Excepted Service—Temporary Organizations	3206-AJ70
3578	Excepted Service—Privacy Procedures for Personnel Records, Career and Career-Conditional Employment, Temp. Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Govts.	3206-AK27
3579	Detail of Government Employees Between the Executive Branch and the Legislative Branch	3206-AK05
3580	Reasonable Accommodation Language for Vacancy Announcements	3206-AJ11
3581	Employment of Relatives	3206-AK03
3582	Senior Executive Service Pay and Performance Awards	3206-AK32
3583	Temporary Assignment of Employees Between Federal, State, Local, and Indian Tribal Governments	3206-AJ94
3584	Executive Performance and Accountability	3206-AJ86
3585	Awards	3206-AJ65
3586	Locality-Based Comparability Payments	3206-AK56
3587	Job Grading Reviews and Appeals of Federal Wage System Employees (Rulemaking Resulting From a Section 610 Review)	3206-AI14
3588	Prevailing Rate Systems; Redefinition of the San Francisco, California, Nonappropriated Fund Wage Area	3206-AK26
3589	Pretax Allotments for Flexible Spending Accounts	3206-AJ88
3590	Computation of Pay for Biweekly Pay Periods	3206-AK62
3591	Implementation of Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002	3206-AJ93
3592	Retirement; Coverage—Nonappropriated Fund Instrumentalities	3206-AH57
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3595	Law Enforcement Officer and Firefighter Retirement	3206-AJ39
3596	Continuation of Eligibility for Certain Civil Service Benefits for Former Federal Employees of the Civilian Marksmanship Program	3206-AJ55
3597	Federal Employees Retirement System; Death Benefits and Employee Refunds	3206-AK57
3598	Federal Long-Term Care Insurance Regulations	3206-AJ71
3599	Changes in Health Benefits Enrollment	3206-AK04
3600	Federal Employees' Health Benefits (FEHB) Program: Removal of Two-Option Limitation for Health Benefits Plan and Continuation of Coverage for Annuitants Whose Plan Terminates an Option	3206-AK48
3601	General and Miscellaneous	3206-AJ97
3602	Federal Employees' Health Benefits Acquisition Regulation: Large Provider Agreements, Subcontracts, and Miscellaneous Changes	3206-AJ20
3603	Implementation of Additional Cost Principles in the Federal Employees' Health Benefits Program	3206-AJ10
3604	Federal Employees' Group Life Insurance Federal Acquisition Regulation	3206-AI65
3605	OPM Employee Responsibilities and Conduct	3206-AJ69
3606	Competitive Service and Competitive Status	3206-AJ75
3607	Examining System	3206-AK35
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3609	Senior Executive Service Pay and Performance Awards and Aggregate Limitation on Pay	3206-AK34
3610	Grade and Pay Retention	3206-AI88
3611	Voluntary Separation Incentive Payments (VSIPs)	3206-AJ76
3612	Notification of Post-Employment Restrictions	3206-AK60
3613	Employee Responsibilities and Conduct	3206-AJ74
3614	Retirement—Debt Collection	3206-AE72
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3616	Retirement—FERS Basic Annuity	3206-AE73
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3618	Retirement Coverage and Service Credit Elections Available to Current and Former Nonappropriated Fund Employees	3206-AJ72
3619	Federal Employees' Health Benefits (FEHB) Program: Payment of Premiums for Periods of Leave Without Pay or Insufficient Pay	3206-AG66
3620	Training	3206-AK46
3621	Implementation of Flexible Spending Accounts for Executive Branch Federal Employees Participating in the Federal Employees' Health Benefits Program	3206-AJ66
3622	Federal Executive Boards	3206-AJ68
3623	Department of Homeland Security (DHS) Human Resources Management Systems	3206-AK31

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Office of Personnel Management—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3624	Time-In-Grade Restrictions	3206-AG06
3625	Merit Promotion and Internal Placement	3206-AI20
3626	Recruitment and Selection Through Competitive Examination	3206-AJ52
3627	Classification Under the General Schedule	3206-AH38
3628	Pay Administration; Availability Pay for Criminal Investigators	3206-AJ49
3629	Retention Allowances	3206-AJ48
3630	Probation on Initial Appointment to a Competitive Position	3206-AI47
3631	Repayment of Student Loans	3206-AK51
3632	Human Capital Performance Fund	3206-AK33
3633	Correction of Retirement Coverage Errors Under the Federal Erroneous Retirement Coverage Correction Act	3206-AJ38
3634	Federal Employees' Group Life Insurance (FGLI) Program: Expanded Opportunities to Elect Coverage, Miscellaneous Changes and Clarifications, and Plain Language Rewrite	3206-AG63

Office of Personnel Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3635	Agency Reporting Requirements	3206-AK49
3636	Restoration to Duty from Uniformed Service or Compensable Injury; Pay Rates and Systems (General); Pay Under the General Schedule; Pay Under the Fair Labor Standards Act	3206-AJ85
3637	Premium Pay Limitations	3206-AJ56
3638	Extended Assignment Incentives	3206-AJ87
3639	Cost-of-Living Allowances (Nonforeign Areas); Methodology Changes	3206-AK29
3640	Voluntary Early Retirement Under the Homeland Security Act of 2004	3206-AJ82
3641	Federal Employees' Health Benefits Children's Equity	3206-AJ34
3642	Employees Responsible for the Management or Use of Federal Computer Systems	3206-AJ84
3643	Posting Regulations	3206-AJ73
3644	Employee Surveys	3206-AK39
3645	Repayment of Student Loans	3206-AK37

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3543. • AGENCY AUTHORITY TO TAKE PERSONNEL ACTIONS IN A NATIONAL EMERGENCY

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Not Yet Determined

CFR Citation: 5 CFR 230

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing regulations pertaining to agency hiring flexibilities available during national emergency periods.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK65

3544. • EXCEPTED SERVICE—NEW FREEDOM APPOINTMENT FOR PEOPLE WITH DISABILITIES AND CAREER AND CAREER-CONDITIONAL EMPLOYMENT

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 5 CFR 213

Legal Deadline: None

Abstract: The proposed regulations will provide agencies the authority to determine, on a case-by-case basis, whether individuals with mental retardation, severe physical disabilities, and psychiatric disabilities can receive an excepted appointment based solely on medical documentation submitted by the applicant. We also propose to

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consolidate three excepted appointing authorities for persons with the above disabilities into one authority.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Larry Lorenz, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK58

3545. • EXCEPTED SERVICE—STUDENT PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 3301

CFR Citation: 5 CFR 213

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to allow certain job-related experience acquired in a structured work-study program to be credited under the Student Career Experience Program. The proposed change would permit agencies to credit a student's job-related work-study experience toward the minimum requirement for conversion to a permanent appointment under the Program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pam Galemore, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK59

3546. AMENDMENT TO SELECTIVE SERVICE REGISTRATION REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3328

CFR Citation: 5 CFR 300

Legal Deadline: None

Abstract: The Office of Personnel Management proposes regulations to delegate to agencies the determination whether a Federal job applicant's failure to register with the Selective Service was knowing and willful. This change is authorized by an amendment to 5 U.S.C. 3328.

Timetable:

Action	Date	FR Cite
NPRM	03/29/99	64 FR 14842
NPRM Comment Period End	04/28/99	
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AI52

3547. EMPLOYMENT IN THE EXCEPTED SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 8151; EO 10577

CFR Citation: 5 CFR 302

Legal Deadline: None

Abstract: The revised regulations will make it easier for agencies to understand how to run the excepted service employment system, so they can create better and more efficient employment procedures.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Larry Lorenz, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AH83

3548. VETERANS RECRUITMENT APPOINTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-288

CFR Citation: 5 CFR 307

Legal Deadline: None

Abstract: The Office of Personnel Management proposes to revise its regulations regarding Veterans Readjustment Appointments to implement the provisions of Public Law 107-288, the Jobs for Veterans Act, signed into law on November 7, 2002.

Timetable:

Action	Date	FR Cite
NPRM	11/05/04	69 FR 64503

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

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RIN: 3206-AJ90

3549. HUMAN CAPITAL MANAGEMENT IN AGENCIES

Priority: Other Significant

Legal Authority: PL 107-296

CFR Citation: 5 CFR 250

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing proposed regulations to implement the requirement in Public Law 107-296, section 1304 for OPM to design a set of systems for assessing human capital management by Federal agencies. These regulations describe the framework for these systems, including the metrics, that agencies will use.

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Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None

Agency Contact: Pam Galemore,
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RIN: 3206-AJ92

3550. OTHER THAN FULL-TIME EMPLOYMENT (PART-TIME, SEASONAL, AND INTERMITTENT)

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 3301**CFR Citation:** 5 CFR 340; 5 CFR 110**Legal Deadline:** None

Abstract: These proposed regulations will grant agencies and employees more flexibility by clarifying agency authority to schedule part-time employees on a pay period, rather than weekly, basis; defines job sharing; and modifies seasonal employment, and includes plain language changes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AI22

3551. REPRESENTATIVE RATE; ORDER OF RELEASE FROM COMPETITIVE LEVEL; ASSIGNMENT RIGHTS

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 1302; 5 USC 3502; 5 USC 3503**CFR Citation:** 5 CFR 351**Legal Deadline:** None

Abstract: The Office of Personnel Management is proposing retention regulations covering the order in which agencies release competing employees from their competitive levels in a reduction in force.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AI96

3552. REEMPLOYMENT RIGHTS

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 3582; 5 USC 3301; PL 103-296**CFR Citation:** 5 CFR 352**Legal Deadline:** None

Abstract: The Office of Personnel Management proposes regulations to update provisions to conform to law allowing employees assigned to international organizations under certain conditions to maintain FERS and FICA retirement coverage. The current regulations require updates because they mention only CSRS retirement.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Barbara Bell, Division
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RIN: 3206-AI19

3553. TRAINING

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 4118**CFR Citation:** 5 CFR 410; 5 CFR 410.309; 5 CFR 410.404; 5 CFR 410.505**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed regulations to address continued service requirements in light of new legislation authorizing the expanded authority for payment of academic degrees. Proposed changes will restore the allowance for agency heads to delegate authority to define requirements for continued service and provide guidance concerning circumstances when the requirement for continued service can be waived. Proposed regulations will also clarify distinctions between training and meetings.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
Final Action	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: LaVeen Ponds,
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RIN: 3206-AJ19

3554. • PAY-FOR-PERFORMANCE APPRAISAL SYSTEMS

Priority: Substantive, Nonsignificant**Legal Authority:** PL 108-136, sec 1126; 5 USC 43, sec 5307(d); 5 USC 43, sec 5406(a)(1)**CFR Citation:** 5 CFR 430**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed regulations to position agencies to operate pay-for-performance by having in place performance appraisal systems for covered employees that are capable of making performance distinctions to support these pay systems. These regulations will strengthen the

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application of pay-for-performance principles to Federal employees. (Partially supercedes RIN 3206-AK33.)

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Barbara Colchao, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7412, 1900 E Street NW., Washington, DC 20415
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Related RIN: Related to 3206-AK33

RIN: 3206-AK66

3555. SUPERIOR QUALIFICATIONS APPOINTMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5333

CFR Citation: 5 CFR 531

Legal Deadline: None

Abstract: The Office of Personnel Management proposes to revise regulations concerning the appointment of superior candidates above the minimum rate of pay for General Schedule positions. The proposed changes clarify and modify what agencies should consider when making these superior qualifications appointments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeanne D. Jacobson, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI00

3556. GENERAL SCHEDULE LOCALITY PAY AREAS

Priority: Other Significant

Legal Authority: 5 USC 5304

CFR Citation: 5 CFR 531, subpart F

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations (and plans to issue final regulations) on behalf of the President's Pay Agent to link the definitions of General Schedule locality pay area boundaries to the geographic scope of metropolitan area definitions established by the Office of Management and Budget, and change the criteria used to evaluate areas adjacent to locality pay areas. (The President's Pay Agent consists of the Secretary of Labor and the Directors of the Office of Management and Budget and OPM.)

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
Final Action	01/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ45

3557. WITHIN-GRADE INCREASES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5335

CFR Citation: 5 CFR 531

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) proposes to revise regulations concerning equivalent increase determinations for within-grade increases. Section 9814 of Public Law 108-201 authorizes the National Aeronautics and Space Administration to set pay for its current employees at any step within the pay range for the grade of the position when the employee possesses unusually high or unique qualifications and is assigned

new duties (called "qualifications pay"). This new authority requires OPM to propose a change in the regulations to provide that a qualifications pay increase is not considered an equivalent increase for within-grade increase purposes when an employee moves within one year to a nonqualifications pay position.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeanne D. Jacobson, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK50

3558. • PREVAILING RATE SYSTEMS; ENVIRONMENTAL DIFFERENTIAL PAY FOR ASBESTOS EXPOSURE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5343; 5 USC 5346

CFR Citation: 5 CFR 532

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim regulation to implement a change in law that requires the use of the Occupational Safety and Health Administration permissible exposure limit standard for concentrations of airborne asbestos fibers for an environmental differential pay category that covers Federal prevailing rate (wage) employees.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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Proposed Rule Stage

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Related RIN: Related to 3206-AK63

RIN: 3206-AK64

3559. REEMPLOYMENT OF CIVILIAN RETIREES TO MEET EXCEPTIONAL EMPLOYMENT NEEDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8344; 5 USC 8468

CFR Citation: 5 CFR 553

Legal Deadline: None

Abstract: The Office of Personnel Management proposes regulations to establish new criteria for granting exceptions for key positions in temporary organizations established by law or Executive order. This rule will also expand and clarify the criteria used in exercising this authority.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Larry Lorenz, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI32

3560. • NONFOREIGN AREA COST-OF-LIVING ALLOWANCES; RATE CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5941

CFR Citation: 5 CFR 591

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) sets nonforeign area cost-of-living allowance (COLA) rates for certain Federal employees in Alaska, Hawaii, Guam, and the Commonwealth of the Northern Mariana Islands, Puerto Rico and the

U.S. Virgin Islands. OPM will issue a proposed rule to announce planned COLA rate changes in these areas based on the results of living-cost surveys OPM conducted in 2003, 2004, and 2005.

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Donald L. Paquin, Human Resources and Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK67

3561. IMPLEMENTATION OF TITLE II OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-174, sec 204; Presidential Memorandum dated July 8, 2003

CFR Citation: 5 CFR 724

Legal Deadline: None

Abstract: The Office of Personnel Management will issue regulations that would implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations would clarify Federal agency notification and training requirements under the Act.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary D. Wahlert, Human Resources System Service, Family Programs and Employee

Relations Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2920

RIN: 3206-AK38

3562. IMPLEMENTATION OF TITLE II OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-174, sec 204; Presidential Memorandum dated July 8, 2003

CFR Citation: 5 CFR 724

Legal Deadline: None

Abstract: The Office of Personnel Management will issue regulations that would implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations would clarify Federal agency reporting requirements under the Act and address agency best practices regarding appropriate disciplinary actions against employees who violate antidiscrimination and whistleblower protection laws.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gary D. Wahlert, Human Resources System Service, Family Programs and Employee Relations Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2920

RIN: 3206-AK55

3563. RETIREMENT—STATE INCOME TAX WITHHOLDING INSTRUMENTALITIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8345; 5 USC 8347; 5 USC 8461; 5 USC 8469

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CFR Citation: 5 CFR 831, subpart S; 5 CFR 841, subpart J

Legal Deadline: None

Abstract: These regulations modify existing regulations to reflect changes designed to expand and streamline the process of withholding State income tax from CSRS and FERS annuities.

Timetable:

Action	Date	FR Cite
NPRM	06/23/99	64 FR 33429
Second NPRM	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patricia A. Rochester, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

RIN: 3206-AH62

3564. ENTERPRISE HUMAN RESOURCE INTEGRATION (EHRI)

Priority: Other Significant

Legal Authority: 5 USC 2951

CFR Citation: 5 CFR 293

Legal Deadline: None

Abstract: To support the goals of EHRI, the Office of Personnel Management will make regulatory changes to allow the electronic processing, maintenance, and storage of Federal employee personnel files.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rhonda Diaz, Chief Personnel Systems Group, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415
Phone: 202 606-1416
Email: rhonda.diaz@opm.gov

RIN: 3206-AK40

3565. FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 294

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to revise the agency's e-FOIA regulations. The revisions include incorporating the E-FOIA Act of 1996, the agency reorganization of 2003 and to make plain language modifications.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	
NPRM Comment Period End	05/00/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Mary Beth Smith-Toomey, Office of the Chief Information Officer, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415-7900
Phone: 202 606-8358
Fax: 202 418-3251
Email: mbtoomey@opm.gov

RIN: 3206-AK53

3566. PRIVACY ACT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 297

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing proposed regulations to revise the agency's Privacy Act regulations. The revisions include incorporating the agency reorganization of 2003 and to make plain language modifications.

Timetable:

Action	Date	FR Cite
NPRM	03/00/05	
NPRM Comment Period End	05/00/05	
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy G. Miller, Division for Management & Chief Financial Officer, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2150
Fax: 202-418-3251
Email: ngmiller@opm.gov

RIN: 3206-AK54

3567. • SUITABILITY

Priority: Other Significant

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 7301; 5 USC 7701; EO 12731; 3 CFR; 5 CFR

CFR Citation: 5 CFR 731

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing revised regulations that will serve to improve the readability of the existing regulatory language, to codify existing policies, and to address several issues that have arisen in recent years.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	
Final Action	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2245
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Email: tom.delpozzo@opm.gov

RIN: 3206-AK69

3568. NATIONAL SECURITY INVESTIGATIONS

Priority: Other Significant

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7312; 50 USC 403; EO 10450; EO 10577

CFR Citation: 5 CFR 732

Legal Deadline: None

Abstract: With the abolishment of the Federal Personnel Manual (FPM), certain policies and procedures enunciated in the FPM are being considered for publication in another format. Additionally, the Office of Personnel Management is issuing

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revised regulations with the intent that they further enhance the readability of the existing regulatory language and codify existing policies.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Interim Final Rule	09/16/94	59 FR 47527
Interim Final Rule Effective Date	10/17/94	
NPRM	12/00/04	
Final Action	03/00/05	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2245
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RIN: 3206-AC21

3569. INVESTIGATIONS

Priority: Other Significant

Legal Authority: PL 93-579; 5 USC 552a

CFR Citation: 5 CFR 736

Legal Deadline: None

Abstract: With the abolishment of the Federal Personnel Manual (FPM), certain policies and procedures previously enunciated in the FPM are being considered for publication in another format. Additionally, the Office of Personnel Management is issuing revised regulations with the intent that they further enhance the readability of the existing regulatory language and codify existing policies.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/23/91	56 FR 18650
Begin Review	10/01/93	
Interim Final Rule	09/16/94	59 FR 47527
NPRM	12/00/04	
Final Action	03/00/05	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Email: tom.delpozzo@opm.gov

RIN: 3206-AB92

**3570. RETIREMENT—COURT ORDERS
AWARDING SURVIVOR ANNUITIES;
CORRECTING OR SUPPLEMENTING
THE FIRST ORDER DIVIDING
MARITAL PROPERTY**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 838

Legal Deadline: None

Abstract: These regulations would establish standards for determining which supplemental or correcting court orders are not “modifications” and the procedures applicable to such orders. They also provide for the continuation of the former spouse’s survivor coverage and the reduction in the retiree’s annuity until the State court decides the extent of the former spouse’s rights to retirement benefits.

Timetable:

Action	Date	FR Cite
NPRM	09/00/05	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: John Panagakos, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Email: combox@opm.gov

RIN: 3206-AG28

**3571. RETIREMENT—FERS
ELECTIONS OF COVERAGE**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347(a); 5 USC 8461(g); PL 99-335, sec 301(d)(3)

CFR Citation: 5 CFR 846

Legal Deadline: None

Abstract: These regulations implement title III of the Federal Employees Retirement System (FERS) Act of 1986, as amended, dealing with the election of FERS coverage by employees under the Civil Service Retirement System and certain other employees. The regulations contain regulatory and interpretative rules concerning

employees’ eligibility to elect FERS coverage, procedures for electing FERS coverage, and basic benefits based on the service for employees who elect FERS coverage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/21/87	52 FR 19235
Interim Final Rule	09/13/93	58 FR 47821
Interim Final Rule	06/18/98	63 FR 33231
NPRM	11/00/04	
Final Action	07/00/05	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AG96

**3572. FEDERAL EMPLOYEES’
HEALTH BENEFITS (FEHB)
PROGRAM: CONTINUING FEHB
COVERAGE INTO RETIREMENT**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: This proposed regulation would increase OPM’s ability to waive requirements for continuing health benefits coverage into retirement when it is to the advantage of the Government to do so.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	
Final Action	07/00/05	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Ronald L. Brown, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Email: rlbrown@opm.gov

RIN: 3206-AI62

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3573. • PROCEDURES FOR STATES AND LOCALITIES TO REQUEST INDEMNIFICATION**Priority:** Other Significant**Legal Authority:** Title VIII; PL 99-169; 5 USC 9101**CFR Citation:** 5 CFR 911**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing a plain language rewrite of the regulation. The revised regulation also will revise the part to comply with 5 U.S.C. 9101 (Pub. L. 99-169), as amended.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Tom DelPozzo, Center for Federal Investigative Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415

Phone: 202 606-2245
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Email: tom.delpozzo@opm.gov

RIN: 3206-AK68**3574. • RESTORATION TO DUTY FROM UNIFORMED SERVICE OR COMPENSABLE INJURY; PAY RATES AND SYSTEMS (GENERAL); PAY UNDER THE GENERAL SCHEDULE; PAY ADMINISTRATION (GENERAL); PAY ADMINISTRATION UNDER THE FAIR LABOR****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed regulations to revise the rules concerning the determination of official duty station for location-based pay entitlements, compensatory time off for religious observance, hours of work and alternative work schedules, and absence and leave. In addition, the

proposed regulations are being issued to aid and support the standardization of pay policies under the e-payroll initiative. The regulations have been rewritten and, in some instances, reordered to enhance reader understanding.

Timetable:

Action	Date	FR Cite
NPRM	11/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sharon Herzberg, Division for Strategic Human Resources Policy, Office of Personnel Management, 7H31, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AK61

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3575. BASIC CONCEPTS AND DEFINITIONS (GENERAL)**Priority:** Other Significant**Legal Authority:** 5 USC 3301; 5 USC 3302**CFR Citation:** 5 CFR 210**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is proposing a plain language rewrite of its regulations on basic concepts and definitions of part 210 as part of a broader review of OPM's regulations. The purpose of the revisions is to make the regulations more readable.

Timetable:

Action	Date	FR Cite
NPRM	06/30/03	68 FR 38644
Final Action	03/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Karen Jacobs, Division for Strategic Human Resources

Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Email: kkjacobs@opm.gov

RIN: 3206-AJ98**3576. EXCEPTED SERVICE—CAREER AND CAREER—CONDITIONAL EMPLOYMENT****Priority:** Other Significant**Legal Authority:** EO 13162**CFR Citation:** 5 CFR 213; 5 CFR 315**Legal Deadline:** None

Abstract: These regulations implement Executive Order 13162, which establishes the Federal Career Intern Program. This program will be used to attract exceptional men and women to the Federal workforce who have diverse professional experiences, academic training, or competencies and prepare them for careers in analyzing and implementing public programs.

This regulation supports the Administration's effort to recruit the

highest caliber people to the Federal Government, develop their professional abilities, and retain them in Federal departments and agencies.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/14/00	65 FR 78077
Interim Final Rule Effective	12/14/00	
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Karen Jacobs, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Fax: 202 606-0390
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RIN: 3206-AJ28

OPM

Final Rule Stage

**3577. EXCEPTED SERVICE—
TEMPORARY ORGANIZATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3161**CFR Citation:** 5 CFR 213**Legal Deadline:** None

Abstract: Since the new law on temporary organizations provides new limitations on temporary organizations, we are amending excepted service appointing authority for hiring persons in temporary organizations to reflect these changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/08/03	68 FR 24605
Interim Final Rule Effective	05/08/03	
Interim Final Rule Comment Period End	07/07/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Larry Lorenz, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-0830
Email: ltlorenz@opm.gov

RIN: 3206-AJ70**3578. EXCEPTED SERVICE—PRIVACY
PROCEDURES FOR PERSONNEL
RECORDS, CAREER AND
CAREER-CONDITIONAL
EMPLOYMENT, TEMP. ASSIGNMENT
OF EMPLOYEES BETWEEN FEDERAL
AGENCIES AND STATE, LOCAL, AND
INDIAN TRIBAL GOVTS.****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 3301; 5 USC 3302; 5 USC 307; 5 USC 2103; 5 USC 4301**CFR Citation:** 5 CFR 213; 5 CFR 297; 5 CFR 315; 5 CFR 334; 5 CFR 362; 5 CFR 537; 5 CFR 550**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) is issuing final regulations modifying the Presidential Management Intern (PMI) Program. The regulations implement Executive Order 13318, which renames the PMI Program

as the Presidential Management Fellows (PMF) Program, with two components: Presidential Management Fellows (Fellows) and Senior Presidential Management Fellows (Senior Fellows). The regulations prescribe OPM and agency responsibilities with respect to administration of the PMF Program, and amend other regulations to reflect the changes established by the executive order.

Timetable:

Action	Date	FR Cite
NPRM	01/26/04	69 FR 3526
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Larry Lorenz, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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Email: ltlorenz@opm.gov

RIN: 3206-AK27**3579. DETAIL OF GOVERNMENT
EMPLOYEES BETWEEN THE
EXECUTIVE BRANCH AND THE
LEGISLATIVE BRANCH**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 1103**CFR Citation:** 5 CFR 300**Legal Deadline:** None

Abstract: OPM is proposing new regulations regarding the detail of executive branch employees to the legislative branch. The purpose of the revision is to set forth guidelines for executive branch detailees to the legislative branch.

Timetable:

Action	Date	FR Cite
NPRM	09/09/03	68 FR 53054
NPRM Comment Period End	10/24/03	
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Barbara Bell, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-0830
Fax: 202 606-0390
Email: bjbell@opm.gov

RIN: 3206-AK05**3580. REASONABLE
ACCOMMODATION LANGUAGE FOR
VACANCY ANNOUNCEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3304(f); 5 USC 3327; ...**CFR Citation:** 5 CFR 302; 5 CFR 317; 5 CFR 330; 5 CFR 333; 5 CFR 335**Legal Deadline:** None

Abstract: The Office of Personnel Management is publishing interim regulations requiring a reasonable accommodation statement in agency vacancy announcements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/11/01	66 FR 63905
Interim Final Rule Effective	01/10/02	
Final Action	04/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-0830
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RIN: 3206-AJ11**3581. EMPLOYMENT OF RELATIVES**

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 3110**CFR Citation:** 5 CFR 310**Legal Deadline:** None

Abstract: OMB is proposing a plain language rewrite of the regulations to make them more readable.

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Timetable:

Action	Date	FR Cite
NPRM	09/22/03	68 FR 55012
NPRM Comment Period End	11/21/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Scott Wilander, Division of Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415
Phone: 202 606-0830
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RIN: 3206-AK03

3582. SENIOR EXECUTIVE SERVICE PAY AND PERFORMANCE AWARDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3161; 5 USC 3392; 5 USC 3393; 5 USC 3395; ...

CFR Citation: 5 CFR 317; 5 CFR 352; 5 CFR 531; 5 CFR 534

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing interim regulations to establish a new pay-for-performance system for the Senior Executive Service (SES). The new SES pay system replaces the current six-level system with an open-range "payband" and allows a higher annual maximum rate of basic pay. These regulations set forth the requirements for converting SES members to the new pay system and adjusting SES rates of basic pay.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/13/04	69 FR 2048
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jo Ann Perrini, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK32

3583. TEMPORARY ASSIGNMENT OF EMPLOYEES BETWEEN FEDERAL, STATE, LOCAL, AND INDIAN TRIBAL GOVERNMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 3376

CFR Citation: 5 CFR 334

Legal Deadline: None

Abstract: These regulations address the temporary assignment of employees to and from State and local governments, colleges, and universities, Indian tribal governments, and selected nonprofit organizations.

Timetable:

Action	Date	FR Cite
NPRM	08/22/03	68 FR 50726
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Darlene Phelps, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415
Phone: 202 606-0830
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RIN: 3206-AJ94

3584. EXECUTIVE PERFORMANCE AND ACCOUNTABILITY

Priority: Substantive, Nonsignificant

Legal Authority: PL 107-296; 5 USC 5307; PL 103-89

CFR Citation: 5 CFR 430

Legal Deadline: None

Abstract: The Office of Personnel Management, jointly with the Office of Management and Budget, is issuing interim regulations to implement a statutory amendment establishing the certification requirements that performance appraisal systems must meet to pay senior executives up to the rate for level II of the Executive Schedule and to use the higher aggregate limitation on pay (up to the

Vice President's salary) for senior executives and employees in senior level and scientific or professional positions.

Timetable:

Action	Date	FR Cite
NPRM	07/29/04	69 FR 45548
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

www.opm.gov/fedregis

Agency Contact: Barbara Colchao, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7412, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2720
Fax: 202 606-2395
Email: pay-performance-policy@opm.gov

RIN: 3206-AJ86

3585. AWARDS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 4506

CFR Citation: 5 CFR 450, subpart C

Legal Deadline: None

Abstract: Regulations at 5 C.F.R. 450, subpart C (new), implement provisions of Public Law 107-67 (5 U.S.C. 4507a) that extend eligibility for Presidential Rank Awards to certain senior level employees.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/13/02	67 FR 52595
Interim Final Rule Effective	09/12/02	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jeffrey Miller, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AJ65

OPM

Final Rule Stage

3586. LOCALITY-BASED COMPARABILITY PAYMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5304**CFR Citation:** 5 CFR 531**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations to provide that a locality rate of pay is considered basic pay for the purpose of computing danger pay allowances and post differentials for certain employees temporarily assigned to work in foreign areas for which the Department of State has established danger pay allowances. These regulations will aid agencies in responding to emergency, mission-critical staffing needs in support of the Global War on Terrorism and other international activities in imminently dangerous overseas work locations by increasing the danger pay allowance and post differential benefits for employees temporarily assigned to such locations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/05/04	69 FR 47353
Interim Final Rule Effective	08/05/04	
Final Action	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jeanne D. Jacobson, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415
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Email: pay-performance-policy@opm.gov
RIN: 3206-AK56

3587. JOB GRADING REVIEWS AND APPEALS OF FEDERAL WAGE SYSTEM EMPLOYEES (RULEMAKING RESULTING FROM A SECTION 610 REVIEW)**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5346**CFR Citation:** 5 CFR 532, subpart G**Legal Deadline:** None

Abstract: The job grading reviews and appeals regulations require updating to

reflect current organizational nomenclature following a reorganization within OPM.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gary D. Wahlert, Human Resources System Service, Family Programs and Employee Relations Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2920

RIN: 3206-AI14**3588. PREVAILING RATE SYSTEMS; REDEFINITION OF THE SAN FRANCISCO, CALIFORNIA, NONAPPROPRIATED FUND WAGE AREA**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5343**CFR Citation:** 5 CFR 532**Legal Deadline:** None

Abstract: The Office of Personnel Management plans to issue a rule that would abolish the San Francisco, CA, nonappropriated fund Federal Wage System wage area. San Francisco County, the sole county of the wage area, would be placed in the Santa Clara, CA, nonappropriated fund wage area as an area of application.

Timetable:

Action	Date	FR Cite
NPRM	11/14/03	68 FR 64493
NPRM Comment Period End	12/15/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Mark Allen, Division for Strategic Human Resources Policy, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415
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Fax: 202 606-4264

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RIN: 3206-AK26**3589. PRETAX ALLOTMENTS FOR FLEXIBLE SPENDING ACCOUNTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5527; EO 10982; 3 CFR, 1959-1963 Comp, p. 263**CFR Citation:** 5 CFR 550**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations to enable employees to contribute to pretax flexible spending accounts (FSAs) through two new allotments from the employee's pay to the employing agency. One of the new allotments will be available for a health care FSA and the other for a dependent care FSA. FSAs become effective on July 1, 2003.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Sharon Herzberg, Division for Strategic Human Resources Policy, Office of Personnel Management, 7H31, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2858
Fax: 202 606-0824
Email: pay-performance-policy@opm.gov

RIN: 3206-AJ88**3590. • COMPUTATION OF PAY FOR BIWEEKLY PAY PERIODS****Priority:** Other Significant**Legal Authority:** 5 USC 5504**CFR Citation:** 5 CFR 550**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed regulations to implement a statutory amendment that requires the pay of heads of agencies and other designated employees to be calculated and paid on a biweekly basis instead of on a monthly basis.

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Timetable:

Action	Date	FR Cite
NPRM	10/07/04	69 FR 60097
Final Action	06/00/05	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Ron Genua, Human Resources Systems Service, Office of Compensation Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK62

3591. IMPLEMENTATION OF TITLE II OF THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002

Priority: Substantive, Nonsignificant**Legal Authority:** PL 107-174, sec 204; Presidential Memorandum dated July 8, 2003**CFR Citation:** 5 CFR 724

Legal Deadline: Final, Statutory, October 1, 2003, Presidential Memorandum dated July 8, 2003. The President assigned the responsibility to the Office of Personnel Management to issue regulations implementing title II of the Act by October 1, 2003.

Abstract: The Office of Personnel Management is proposing interim regulations that would implement title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002. The Act requires that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws. The regulations would clarify Federal agency reporting and training requirements under the Act and prescribe the procedures for reimbursement of the Judgment Fund.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/22/04	69 FR 2997
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Gary D. Wahlert, Human Resources System Service, Family Programs and Employee Relations Division, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-2920

RIN: 3206-AJ93

3592. RETIREMENT; COVERAGE—NONAPPROPRIATED FUND INSTRUMENTALITIES

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 8347**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 841 to 844; 5 CFR 847**Legal Deadline:** Final, Statutory, August 9, 1996.

Abstract: These regulations implement the provisions of Public Law 104-106 and Public Law 107-107, which allow employees who have been employed by nonappropriated fund instrumentalities under the jurisdiction of the armed forces to obtain retirement credit under limited circumstances.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/09/96	61 FR 41714
Final Action	09/00/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: James Giuseppe, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-0299
Email: combox@opm.gov

Related RIN: Related to 3206-AJ72**RIN:** 3206-AH57

3593. COVERAGE FOR CERTAIN EMPLOYEES OF THE DISTRICT OF COLUMBIA

Priority: Substantive, Nonsignificant**Legal Authority:** 5 USC 8347(a); 5 USC 8361(g); PL 105-33, sec 11202(f); PL 105-33, 11232(e); PL 105-33, 11246(b); PL 106-522, sec 145**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 842; 5 CFR 846; 5 CFR 870; 5 CFR 890**Legal Deadline:** None

Abstract: These regulations implement provisions of the National Capital Revitalization and Self-Government Improvement Act of 1997, which requires that nonjudicial employees of the District of Columbia Courts, and under certain conditions, the District of Columbia Corrections Trustee, and the District of Columbia Pretrial Services, Parole, Adult Probation and Offender Supervision Trustee and their respective employees be considered Federal employees for purposes of Federal retirement, health, and life insurance coverage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/97	62 FR 50995
Interim Final Rule Comment Period End	12/01/97	
Final Action	09/00/05	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Patrick Jennings, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI02

3594. RETIREMENT, HEALTH, AND LIFE INSURANCE COVERAGE FOR CERTAIN EMPLOYEES OF THE DISTRICT OF COLUMBIA UNDER THE DISTRICT OF COLUMBIA COURTS AND JUSTICE TECHNICAL CORRECTIONS ACT OF 1998

Priority: Substantive, Nonsignificant**Legal Authority:** PL 105-274**CFR Citation:** 5 CFR 831; 5 CFR 837; 5 CFR 842; 5 CFR 846; 5 CFR 870; 5 CFR 890**Legal Deadline:** None

Abstract: These interim regulations implement the District of Columbia Courts and Justice Technical Corrections Act of 1998. The effect of these regulations is to extend Federal retirement, health insurance, and life insurance coverage to employees of the Public Defender Service of the District of Columbia under section 7 of the Act, and to exclude certain former employees of the District of Columbia, who are hired by the Department of

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Justice or by the Court Services and Offender Supervision Agency, from Federal retirement coverage if they elect, under section 3 of the Act, to continue their coverage under a retirement system for employees of the District of Columbia.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/31/99	64 FR 15286
Interim Final Rule Comment Period End	06/29/99	
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Patrick Jennings,
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RIN: 3206-AI55

3595. LAW ENFORCEMENT OFFICER AND FIREFIGHTER RETIREMENT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 831; 5 CFR 842

Legal Deadline: None

Abstract: The Office of Personnel Management is issuing an interim rule that permits certain police officers with the Metropolitan Washington Airports Authority to elect coverage under the special retirement provisions for law enforcement officers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/25/01	66 FR 38523
Interim Final Rule Effective	07/25/01	
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ39

3596. CONTINUATION OF ELIGIBILITY FOR CERTAIN CIVIL SERVICE BENEFITS FOR FORMER FEDERAL EMPLOYEES OF THE CIVILIAN MARKSMANSHIP PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: Sec 1622(b), PL 104-106, 110 Stat 515

CFR Citation: 5 CFR 831; 5 CFR 842; 5 CFR 870; 5 CFR 890

Legal Deadline: None

Abstract: These regulations describe conditions and procedures applicable to continuation of eligibility for certain Civil Service benefits for former Federal employees of the Civilian Marksmanship Program.

Timetable:

Action	Date	FR Cite
NPRM	06/03/02	67 FR 38210
NPRM Comment Period End	08/02/02	
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ55

3597. FEDERAL EMPLOYEES RETIREMENT SYSTEM; DEATH BENEFITS AND EMPLOYEE REFUNDS

Priority: Other Significant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 841; 5 CFR 842; 5 CFR 843

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is revising: 1) the table of reduction factors for early commencing dates of survivor annuities for spouses of separated employees who die before the date on which they would be eligible for unreduced

deferred annuities; and 2) the annuity factor for spouses of deceased employees who die in service when those spouses elect to receive the basic employee death benefit in 36 installments under the Federal Employees Retirement System (FERS) Act of 1986. These rules are necessary to conform the tables to the previously published economic assumptions approved by the Board of Actuaries. OPM is also making nonsubstantive changes to parts 841, 842, and 843 of title 5, Code of Federal Regulations, to correct and clarify the regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/04	
Final Action	07/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK57

3598. FEDERAL LONG-TERM CARE INSURANCE REGULATIONS

Priority: Other Significant

Legal Authority: 5 USC 9008

CFR Citation: 5 CFR 875

Legal Deadline: None

Abstract: On September 19, 2000, the Long-Term Care Security Act became law. As directed by the Act, OPM published interim regulations on February 4, 2003, which establish the basic rules under which the Federal Long Term Care Insurance Program operates.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/04/03	68 FR 5531
Interim Final Rule Effective	02/04/03	
Interim Final Rule Comment Period End	04/07/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

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Government Levels Affected: None

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RIN: 3206-AJ71

3599. CHANGES IN HEALTH BENEFITS ENROLLMENT

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 8913; 50 USC 403p; 22 USC 4069c

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: OPM is issuing proposed regulation on changes in health benefits enrollment for annuitants or survivor annuitants when a carrier terminates participation in the Federal Employees' Health Benefits Program.

Timetable:

Action	Date	FR Cite
NPRM	02/09/04	69 FR 59356
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nataya Battle, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20515
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RIN: 3206-AK04

3600. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: REMOVAL OF TWO-OPTION LIMITATION FOR HEALTH BENEFITS PLAN AND CONTINUATION OF COVERAGE FOR ANNUITANTS WHOSE PLAN TERMINATES AN OPTION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 890

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: This regulation removes the prohibition against FEHB plans offering

more than two options, to allow FEHB plans to offer two options plus a high deductible plan. It also modifies what happens when an annuitant's health plan terminates an option, and the annuitant does not make a health benefits change.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	06/06/04	
Interim Final Rule	06/07/04	69 FR 31721
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK48

3601. GENERAL AND MISCELLANEOUS

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 CFR 1

CFR Citation: 5 CFR 990

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is proposing to remove its regulation concerning the submission of claims by "preference eligibles" to OPM and the recognition of representatives by OPM. The existing regulation is now obsolete.

Timetable:

Action	Date	FR Cite
NPRM	05/27/03	68 FR 28806
Final Action	03/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ97

3602. FEDERAL EMPLOYEES' HEALTH BENEFITS ACQUISITION REGULATION: LARGE PROVIDER AGREEMENTS, SUBCONTRACTS, AND MISCELLANEOUS CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913; 40 USC 486(c); 48 CFR 1.301

CFR Citation: 48 CFR 1602; 48 CFR 1604; 48 CFR 1615; 48 CFR 1632; 48 CFR 1644; 48 CFR 1652; 48 CFR 1602; 48 CFR 1646; ...

Legal Deadline: None

Abstract: The Office of Personnel Management is proposing a new policy that establishes notification and information requirements, including audits for Federal Employees' Health Benefits experience-rated carrier large provider agreements. The proposed regulation also revises the threshold for advance approval of carrier subcontracts.

Timetable:

Action	Date	FR Cite
NPRM	08/15/03	68 FR 10000
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ20

3603. IMPLEMENTATION OF ADDITIONAL COST PRINCIPLES IN THE FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913; 40 USC 486(c); 48 CFR 1.301

CFR Citation: 48 CFR 1630; 48 CFR 1631; 48 CFR 1652

Legal Deadline: None

Abstract: The Office of Personnel Management is proposing a regulation that would inform experience-rated

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carriers in the Federal Employees' Health Benefits Program how it intends to implement additional cost principles.

Timetable:

Action	Date	FR Cite
NPRM	03/26/04	69 FR 15774
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ10

3604. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE FEDERAL ACQUISITION REGULATION

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: 48 CFR 2101 to 2105; 48 CFR 2109; 48 CFR 2110; 48 CFR 2115; 48 CFR 2116; 48 CFR 2131; 48 CFR 2132; 48 CFR 2137; 48 CFR 2144; 48 CFR 2146; 48 CFR 2149; 48 CFR 2152

Legal Deadline: None

Abstract: This proposed regulation would revise the existing Federal Employees' Group Life Insurance Federal Acquisition Regulation (LIFAR) by updating and revising policy regulations with respect to the acquisition and administration of life insurance contracts for Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	10/04/04	69 FR 59166
Final Action	10/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karen Leibach, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI65

3605. OPM EMPLOYEE RESPONSIBILITIES AND CONDUCT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552a; 5 USC 7301

CFR Citation: 5 CFR 1001

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is proposing a plain language rewrite of its regulations regarding the standards that govern OPM employee's responsibilities and conduct as part of a broader review of OPM's regulations. The purpose of the revisions is to make the regulations more readable.

Timetable:

Action	Date	FR Cite
NPRM	11/20/02	67 FR 70029
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Wade Plunkett, Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-1700

RIN: 3206-AJ69

3606. COMPETITIVE SERVICE AND COMPETITIVE STATUS

Priority: Other Significant

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 212

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is rewriting its regulations in plain language to make them more readable. This includes part 212 that contains the definitions of competitive service and competitive status. This is one aspect of a broader review of OPM's regulations. This regulatory rewrite supports the Administration's effort to use "plain language" when disseminating information throughout the Federal community and to the general public.

Timetable:

Action	Date	FR Cite
NPRM	07/31/03	68 FR 44902
Final Action	04/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ75

3607. EXAMINING SYSTEM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: Not Yet Determined

CFR Citation: 5 CFR 337

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is issuing an interim regulation to: a) designate two sections of the Alternative Ranking and Selection Procedures from the Homeland Security Act of 2002 as a veterans' preference requirement to align the regulation with others covering veterans' preference; and b) amend the direct-hire authority human resources flexibility allowing agencies to recruit and appoint highly qualified individuals for certain Federal acquisition positions deemed as a shortage category under Public Law 108-136.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK35

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3608. INFORMATION TECHNOLOGY EXCHANGE PROGRAM**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-347**CFR Citation:** 5 CFR 370**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing proposed regulations to implement Governmentwide provisions contained in the E-Government Act (Pub. L. 107-347). This law authorizes the temporary assignment of employees in the field of information technology (IT) management between the Federal Government and private sector organizations. It also authorizes Federal agencies to accept, on a volunteer basis, the services of non-Federal IT employees.

Timetable:

Action	Date	FR Cite
NPRM	01/26/04	69 FR 3526
Final Action	03/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Barbara Bell, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AJ91**3609. SENIOR EXECUTIVE SERVICE PAY AND PERFORMANCE AWARDS AND AGGREGATE LIMITATION ON PAY****Priority:** Other Significant**Legal Authority:** 5 USC 5307; 5 USC 5382; 5 USC 5383**CFR Citation:** 5 CFR 451; 5 CFR 530; 5 CFR 534; 5 CFR 575**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations to implement statutory provisions that establish a new performance-based pay system for the Senior Executive Service (SES) and a higher aggregate limitation on pay for SES members and employees in senior-level (SL) and scientific or professional (ST) positions. These regulations

prescribe the criteria for the administration of rates of basic pay and performance awards under the SES performance-based pay system and the rules for applying the aggregate limitation on pay.

Timetable:

Action	Date	FR Cite
NPRM	07/29/04	69 FR 45536
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

www.opm.gov/fedregis

Agency Contact: Jo Ann Perrini, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK34**3610. GRADE AND PAY RETENTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5361; 5 USC 5366**CFR Citation:** 5 CFR 536**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing final regulations giving agencies discretionary authority to grant pay retention to certain employees moving to positions under pay systems other than the General Schedule or the Federal Wage System. This new flexibility would allow agencies to prevent eligible employees from suffering a reduction in pay that would otherwise result from a management action.

Timetable:

Action	Date	FR Cite
NPRM	05/25/00	65 FR 33785
Final Action	06/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AI88

3611. VOLUNTARY SEPARATION INCENTIVE PAYMENTS (VSIPS)**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 107-296**CFR Citation:** 5 CFR 576**Legal Deadline:** None

Abstract: Public Law 106-297, the Homeland Security Act of 2002, requires that most Federal agencies request the authority to offer VSIPs to their employees from the Office of Personnel Management. This change in VSIP procedures has been incorporated into 5 CFR 576 through interim regulations published February 4, 2003. The law also contains the VSIP repayment waiver provisions that were previously found in the interim regulations published under RIN 3206-AG20.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/04/03	68 FR 5529
Interim Final Rule Effective	02/04/03	
Final Action	09/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AJ76

3612. • NOTIFICATION OF POST-EMPLOYMENT RESTRICTIONS**Priority:** Other Significant**Legal Authority:** 5 USC 7302; PL 108-136, sec 1125(b)**CFR Citation:** 5 CFR 730**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim

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regulations requiring agencies to notify members of the Senior Executive Service (SES) and other employees in senior positions of certain post-employment conflict-of-interest restrictions. Agencies must provide written notification to affected employees of the new salary-based threshold for determining the applicability of the post-employment conflict-of-interest restrictions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/15/04	69 FR 61143
Interim Final Rule Effective	01/01/05	
Final Action	06/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AK60

3613. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 7301; EO 12674, 3 CFR, 1989 Comp, p. 215, as modified by EO 12731; EO 12731, 3 CFR, 1989 Comp, p. 306

CFR Citation: 5 CFR 735

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is proposing a plain language rewrite of its regulations regarding the standards that govern employee responsibilities and conduct as part of a broader review of OPM's regulations. The purpose of the revisions is to make the regulations more readable.

Timetable:

Action	Date	FR Cite
NPRM	01/15/03	68 FR 1987
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Wade Plunkett, Office of the General Counsel, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
Phone: 202 606-1700

RIN: 3206-AJ74

3614. RETIREMENT—DEBT COLLECTION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 835, subpart E

Legal Deadline: None

Abstract: These regulations will amend the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) regulations by consolidating and updating existing regulations in three different subparts of the CSRS regulations, and 5 CFR 845 in the FERS regulations to eliminate duplication of the provisions governing debt collection. This item is for subpart E of the new part 835, which will address collections of Government claims from payments made by OPM.

Timetable:

Action	Date	FR Cite
NPRM	10/05/92	57 FR 45753
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia A. Rochester, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AE72

3615. RETIREMENT—GENERAL ADMINISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 841

Legal Deadline: None

Abstract: These regulations would allow an agency to retain the individual retirement record when an employee transfers within the same agency even though the employee would be serviced by another intra-agency payroll.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/20/00	65 FR 21119
Interim Final Rule Effective	04/20/00	
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AI83

3616. RETIREMENT—FERS BASIC ANNUITY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8461

CFR Citation: 5 CFR 842, subparts B to G

Legal Deadline: None

Abstract: These final regulations will amend FERS Basic Annuity regulations governing Eligibility (subpart B), Credit for Service (subpart C), Computations (subpart F), and Alternative Forms of Annuity (subpart G). These regulations have been published at various times in interim final form, and have been affected by statutory changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/16/87	52 FR 2061
Interim Final Rule	01/16/87	52 FR 2067
Interim Final Rule	02/11/87	52 FR 4473
Interim Final Rule	02/11/87	52 FR 4479
Interim Final Rule	05/14/87	52 FR 18193
Interim Final Rule	04/08/88	53 FR 11635
Interim Final Rule	02/09/90	55 FR 4598
Final Rule	12/27/90	55 FR 53136
Interim Final Rule	02/19/91	56 FR 6549
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 3206-AE73

3617. RETIREMENT—CREDIT FOR MILITARY SERVICE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347(a); 5 USC 8461(g); 38 USC 4331

CFR Citation: 5 CFR 842.306; 5 CFR 842.307

Legal Deadline: None

Abstract: These regulations implement changes in the treatment of certain military service under CSRS and FERS required under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

Timetable:

Action	Date	FR Cite
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 3206-AG58

3618. RETIREMENT COVERAGE AND SERVICE CREDIT ELECTIONS AVAILABLE TO CURRENT AND FORMER NONAPPROPRIATED FUND EMPLOYEES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8347; 5 USC 8461; PL 107-107, sec 1131; PL 107-107, sec 1132

CFR Citation: 5 CFR 847, subpart H; 5 CFR 847, subpart I

Legal Deadline: None

Abstract: These regulations amend the Civil Service Retirement System (CSRS) and Federal Employees Retirement System (FERS) regulations to establish procedures for employees who want to elect to use service they performed for a Nonappropriated Fund Instrumentality (NAFI) of the Department of Defense or Coast Guard to qualify for immediate retirement under CSRS or FERS annuity when employees elect to use NAFI service to

qualify for immediate CSRS or FERS retirement.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	12/28/01	
Interim Final Rule	01/16/03	68 FR 2175
Final Action	09/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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Related RIN: Related to 3206-AH57

RIN: 3206-AJ72

3619. FEDERAL EMPLOYEES' HEALTH BENEFITS (FEHB) PROGRAM: PAYMENT OF PREMIUMS FOR PERIODS OF LEAVE WITHOUT PAY OR INSUFFICIENT PAY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: These regulations establish a requirement that Federal agencies counsel employees entering nonpay status, or whose pay is insufficient to cover their FEHB premium payments, of the options of continuing or terminating their FEHB coverage, and if continuing, of paying premiums directly on a current basis or incurring a debt to be withheld from future salary. These regulations are intended to ensure employees are fully aware of these alternatives. We have received comments on the interim final rule, which are under review.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/96	61 FR 37807
Final Action	06/00/05	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AG66

3620. TRAINING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None

Abstract: The Office of Personnel Management (OPM) is proposing a revision to its regulations concerning agency reporting requirements. The proposed change requires agencies to electronically transfer training data to OPM's Governmentwide electronic data collection system on a regular basis. This proposed regulatory change will also facilitate reporting Governmentwide training information data using OPM's electronic data collection system.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/04	
Final Action	04/00/05	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: LaVeen Ponds, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AK46

3621. IMPLEMENTATION OF FLEXIBLE SPENDING ACCOUNTS FOR EXECUTIVE BRANCH FEDERAL EMPLOYEES PARTICIPATING IN THE FEDERAL EMPLOYEES' HEALTH BENEFITS PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 125; 26 USC 129; 26 USC 152

CFR Citation: 5 CFR 892

Legal Deadline: None

Abstract: The Office of Personnel Management plans to issue regulations that enable employees of all executive

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branch agencies to elect a Health Care Flexible Spending Account (HCFSA) and/or a Dependent Care Flexible Spending Account (DCFSA) in accordance with sections 125, 129, and 152 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Anne Easton, Retirement and Insurance Services, Office of Personnel Management, Insurance Policy and Information Division, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AJ66**3622. FEDERAL EXECUTIVE BOARDS****Priority:** Info./Admin./Other

Legal Authority: 5 CFR 960, Memorandum of the President for Heads of Departments and Agencies

CFR Citation: 5 CFR 960**Legal Deadline:** None

Abstract: The Office of Personnel Management (OPM) proposes regulations designed to make plain

language updates, and general or routine modifications with no cost implications. These regulations also will clarify language based on modifications to OPM programs.

Timetable:

Action	Date	FR Cite
NPRM	11/25/02	67 FR 70559
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AJ68**3623. DEPARTMENT OF HOMELAND SECURITY (DHS) HUMAN RESOURCES MANAGEMENT SYSTEMS****Priority:** Other Significant. Major under 5 USC 801.**Legal Authority:** 5 USC 9701**CFR Citation:** 5 CFR 970**Legal Deadline:** None

Abstract: The Department of Homeland Security (DHS) and the Office of

Personnel Management are issuing proposed regulations to establish a new human resources (HR) management system within DHS, as authorized by the Homeland Security Act of 2002. The affected subsystems include the systems governing basic pay, classification, performance management, labor relations, adverse actions (e.g., disciplinary actions), and employee appeals. These changes are designed to ensure that DHS' human resources management system aligns with the Department's critical mission requirements and protects the civil service rights of its employees.

Timetable:

Action	Date	FR Cite
NPRM	02/20/04	69 FR 8030
Final Action	11/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Federalism:** Undetermined

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RIN: 3206-AK31

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3624. TIME-IN-GRADE RESTRICTIONS**Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 300**Legal Deadline:** None

Abstract: The Office of Personnel Management will eliminate the requirement that employees serve one year in-grade to be eligible for promotion above the GS-5 level. The requirement to be eliminated is separate from the qualifications requirement for one year's experience at the next lowest grade or equivalent for promotion.

Timetable:

Action	Date	FR Cite
NPRM	06/15/94	59 FR 30717
NPRM Comment Period End	01/10/95	60 FR 2546
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3206-AG06**3625. MERIT PROMOTION AND INTERNAL PLACEMENT****Priority:** Other Significant

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 316; 5 CFR 335**Legal Deadline:** None

Abstract: In an effort to provide agencies with greater flexibility and to clarify existing flexibility, the Office of Personnel Management is proposing to revise the regulations covering merit promotion and internal placement. These regulations will provide a

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framework within which agencies may develop merit-based programs for internal selections.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karen Jacobs, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI20

3626. RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 332

Legal Deadline: None

Abstract: OPM is issuing an interim regulation to allow agencies to decide how candidates are referred for competitive appointment when agencies fill multiple vacancies simultaneously. We are codifying a long-standing practice (5 U.S.C. 3301 and 5 U.S.C. 3302) of providing agencies with the option of either certifying a candidate for only one vacancy at a time, or certifying a candidate simultaneously for all vacancies for which that candidate expresses an interest, is eligible, and is within reach.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/02	67 FR 7055
Interim Final Rule Effective	02/15/02	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ52

3627. CLASSIFICATION UNDER THE GENERAL SCHEDULE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5112

CFR Citation: 5 CFR 511, subpart F; 5 CFR 511, subpart G

Legal Deadline: None

Abstract: The general schedule classification regulations require updating to reflect current organizational nomenclature following a reorganization within OPM.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3206-AH38

3628. PAY ADMINISTRATION; AVAILABILITY PAY FOR CRIMINAL INVESTIGATORS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5545(h); 5 USC 5548

CFR Citation: 5 CFR 550

Legal Deadline: None

Abstract: These final regulations will clarify a number of issues relating to the administration of availability pay, a form of premium pay for criminal investigators who are required to work, or be available to work, substantial amounts of unscheduled overtime duty based on the needs of the employing agency.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/23/94	59 FR 66149

Action	Date	FR Cite
Second Interim Final Rule	01/29/99	64 FR 4517
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ49

3629. RETENTION ALLOWANCES

Priority: Other Significant. Major under 5 USC 801.

Legal Authority: 5 USC 5754

CFR Citation: 5 CFR 575, subpart C

Legal Deadline: None

Abstract: These final regulations would provide agencies with greater flexibility in the use of retention allowances by allowing them to pay such allowances to employees who are likely to leave their positions for other Federal employment under certain limited circumstances.

Timetable:

Action	Date	FR Cite
NPRM	01/10/01	66 FR 5491
NPRM Comment Period End	03/20/01	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ48

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3630. PROBATION ON INITIAL APPOINTMENT TO A COMPETITIVE POSITION**Priority:** Other Significant**Legal Authority:** 5 USC 3321**CFR Citation:** 5 CFR 315, subpart H**Legal Deadline:** None

Abstract: This regulation will permit agencies to use a competitive service probationary period of up to three years, when the work of the position cannot be properly evaluated in only one year. It will also establish one year as the minimum probationary period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Linda Watson, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AI47**3631. REPAYMENT OF STUDENT LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5379**CFR Citation:** 5 CFR 537**Legal Deadline:** None

Abstract: The Office of Personnel Management proposes to revise the rules implementing 5 U.S.C. 5379, which permits agencies to provide student loan repayment benefits to candidates for Federal jobs or current Federal employees when necessary to recruit and retain highly qualified personnel. Except as otherwise stated in the supplementary information, the purpose of the revision to part 537 is not to make substantive changes, but rather to make part 537 more readable. As part of this rewriting effort, the proposed regulations have been reorganized and converted to a question-and-answer format (except for the introductory sections on purpose and definitions).

Timetable:

Action	Date	FR Cite
NPRM	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

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RIN: 3206-AK51**3632. HUMAN CAPITAL PERFORMANCE FUND****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 54**CFR Citation:** 5 CFR 540**Legal Deadline:** None

Abstract: The Office of Personnel Management is issuing interim regulations to implement legislation creating the Human Capital Performance Fund (HCPF). Agencies may use funds from the HCPF to increase the pay of those employees who demonstrate exceptional performance contributing to the achievement of their agency's mission. These regulations provide the criteria and rules for allocating and managing funds appropriated for the HCPF and granting and administering payments made from the HCPF to employees. (Partially superseded by RIN 3206-AK66.)

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Sharon Herzberg, Division for Strategic Human Resources Policy, Office of Personnel Management, 7H31, 1900 E Street NW., Washington, DC 20415
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Related RIN: Related to 3206-AK66**RIN:** 3206-AK33**3633. CORRECTION OF RETIREMENT COVERAGE ERRORS UNDER THE FEDERAL ERRONEOUS RETIREMENT COVERAGE CORRECTION ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 106-265**CFR Citation:** 5 CFR 839**Legal Deadline:** None

Abstract: The Office of Personnel Management is amending its regulations to include new rules for correcting certain retirement coverage errors. We are amending the regulations to implement the provisions of the Federal Erroneous Retirement Coverage Corrections Act (FERCCA), title II of Public Law 106-265. The regulations will allow agencies to correct affected coverage errors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/19/01	66 FR 15605
Interim Final Rule Effective	03/19/01	
Final Action	12/00/05	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Cynthia Reinhold, Division for Strategic Human Resources Policy, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415
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RIN: 3206-AJ38**3634. FEDERAL EMPLOYEES' GROUP LIFE INSURANCE (FGLI) PROGRAM: EXPANDED OPPORTUNITIES TO ELECT COVERAGE, MISCELLANEOUS CHANGES AND CLARIFICATIONS, AND PLAIN LANGUAGE REWRITE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 8716**CFR Citation:** 5 CFR 870**Legal Deadline:** None

Abstract: These regulations increase the opportunities for employees to elect coverage. They also include changes to

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FELI regulations that clarify procedures for signing and witnessing designations of beneficiary, accepting designations of beneficiary by facsimile, accepting DNA evidence to establish paternity, etc. They also change the time frame for electing optional insurance when first eligible from 31 days to 60 days and add information on Basic insurance for certain

Department of Defense employees under Public Law 106-398.

Timetable:

Action	Date	FR Cite
NPRM	10/27/00	65 FR 64530
NPRM	12/00/05	
Final Action	12/00/06	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AG63

Office of Personnel Management (OPM)

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3635. AGENCY REPORTING REQUIREMENTS**Timetable:**

Action	Date	FR Cite
Duplicate of 3206-AK46	10/13/04	

RIN: 3206-AK49

3636. RESTORATION TO DUTY FROM UNIFORMED SERVICE OR COMPENSABLE INJURY; PAY RATES AND SYSTEMS (GENERAL); PAY UNDER THE GENERAL SCHEDULE; PAY UNDER THE FAIR LABOR STANDARDS ACT**Timetable:**

Action	Date	FR Cite
Duplicate of 3206-AK61	10/13/04	

RIN: 3206-AJ85

3637. PREMIUM PAY LIMITATIONS

Priority: Other Significant

CFR Citation: 5 CFR 550

Completed:

Reason	Date	FR Cite
Final Action	09/17/04	69 FR 55941
Final Action Effective	10/18/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ56

3638. EXTENDED ASSIGNMENT INCENTIVES

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 575

Completed:

Reason	Date	FR Cite
Final Action	06/16/04	69 FR 33536

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ87

3639. COST-OF-LIVING ALLOWANCES (NONFOREIGN AREAS); METHODOLOGY CHANGES

Priority: Other Significant

CFR Citation: 5 CFR 591

Completed:

Reason	Date	FR Cite
Final Action	10/06/04	69 FR 59761
Final Action Effective	11/05/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Donald L. Paquin
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RIN: 3206-AK29

3640. VOLUNTARY EARLY RETIREMENT UNDER THE HOMELAND SECURITY ACT OF 2004

Priority: Substantive, Nonsignificant

CFR Citation: 5 CFR 831, 5 CFR 842

Completed:

Reason	Date	FR Cite
Final Action	06/15/04	69 FR 33277

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3206-AJ82

3641. FEDERAL EMPLOYEES' HEALTH BENEFITS CHILDREN'S EQUITY

Priority: Other Significant

CFR Citation: 5 CFR 890; 5 CFR 892

Completed:

Reason	Date	FR Cite
Final Action	09/23/04	69 FR 56927
Final Action Effective	10/25/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nataya Battle
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RIN: 3206-AJ34

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3642. EMPLOYEES RESPONSIBLE FOR THE MANAGEMENT OR USE OF FEDERAL COMPUTER SYSTEMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 930, subpart C**Completed:**

Reason	Date	FR Cite
Final Action	06/14/04	69 FR 32835

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** LaVeen Ponds

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RIN: 3206-AJ84**3643. POSTING REGULATIONS****Priority:** Info./Admin./Other**CFR Citation:** 5 CFR 110**Completed:**

Reason	Date	FR Cite
Final Action	06/16/04	69 FR 33535

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Robert T. Coco

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RIN: 3206-AJ73**3644. EMPLOYEE SURVEYS****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 420**Completed:**

Reason	Date	FR Cite
Withdrawn	11/05/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Larry Lorenz

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RIN: 3206-AK39**3645. REPAYMENT OF STUDENT LOANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 5 CFR 537**Completed:**

Reason	Date	FR Cite
Final Action	04/20/04	69 FR 21039

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Vicki Draper

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RIN: 3206-AK37

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